



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 2, 2023

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BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Angel Robertho Peri Cacho*, 23 Cr. 216 (MKV)

Dear Judge Vyskocil:

The Government writes to provide a status update in the above-referenced matter and to request a brief adjournment of the upcoming deadlines to submit motions in limine, voir dire questions, requests to charge, and the verdict form, in light of the considerable progress made in the last 48 hours and the likelihood of reaching a pretrial resolution in this matter.

The Government has learned from its recent conversations with defense counsel, pretrial services, and legal personnel at the Metropolitan Detention Center ("MDC") the following:

- Defendant Angel Robertho Peri Cacho was interviewed by Pretrial Services, with defense counsel present, on October 31, 2023, shortly after the recent court status conference.
- That same day, MDC provided the defendant's medical and disciplinary records to the Government, which the Government immediately provided to defense counsel and to Pretrial Services.¹
- On November 1, 2023, an MDC psychologist examined the defendant, and a member of MDC's legal team represented that the report of this evaluation will be available to the parties early in the week of November 6, 2023.

In light of the additional information received to date and further discussions the Government has had with defense counsel and pretrial services, all parties have identified a preliminary resolution, subject to final approvals and confirmation after receipt of MDC's most

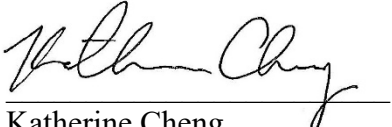
¹ To the extent the Court would like a copy of these records, the Government will submit them to the Court under seal.

recent evaluation. The parties currently anticipate presenting to the Court a proposed resolution by Friday November 10, 2023.

In light of the above developments, the Government respectfully requests a brief adjournment of all current pretrial deadlines relating to submissions of motions in limine, voir dire questions, requests to charge, and the verdict sheet, until Friday November 10, 2023. Given that the parties expect to be in a position to resolve this matter next week, such adjournments would conserve the parties' and the Court's limited resources. Moreover, neither defense counsel nor the Government currently intend to file any motions in limine. Defense counsel consents to the adjournment request.

Respectfully submitted,

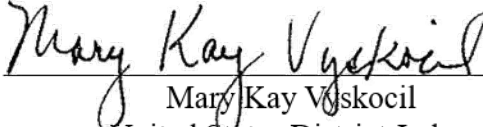
DAMIAN WILLIAMS
United States Attorney

By: 
Katherine Cheng
Assistant United States Attorney
Southern District of New York
(212) 637-2492
Katherine.Cheng@usdoj.gov

cc: Mark Gombiner, Esq. (by ECF)
Laura Gialanella, Pretrial Services (by email)

Granted. SO ORDERED.

Date: 11/2/2023
New York, New York


Mary Kay Vyskocil
United States District Judge